

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ELIZABETH TRAIN,
Plaintiff,

v.

C R BARD, INC., and BARD PERIPHERAL
VASCULAR INC.,
Defendants.
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ORDER

20 CV 2721 (VB)

Under Rule 18 of the SDNY Rules for the Division of Business Among District Judges, a civil case must be designated for assignment to White Plains if:

- i. The claim arose in whole or in major part in the Counties of Dutchess, Orange, Putnam, Rockland, Sullivan, or Westchester (the “Northern Counties”) and at least one of the parties resides in the Northern Counties; or
- ii. The claim arose in whole or in major part in the Northern Counties and none of the parties resides in this District.

A civil case may also be designated for assignment to White Plains if:

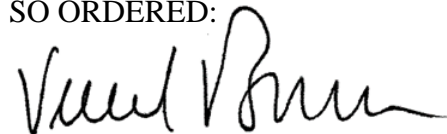
- iii. The claim arose outside this district and at least some of the parties reside in the Northern Counties; or
- iv. At least half of the parties reside in the Northern Counties.

According to the complaint, plaintiff is a citizen of New York and venue is proper in the Southern District of New York. However, plaintiff does not allege that the claim arose in whole or in major part in the Northern Counties or that plaintiff resides in the Northern Counties. Therefore, it does not appear this case was properly designated to White Plains.

By July 28, 2020, plaintiff’s counsel is directed to submit a letter to the Court either acknowledging that this case should be transferred to Manhattan or explaining why the case is properly designated for assignment to White Plains under Rule 18.

Dated: July 21, 2020
White Plains, NY

SO ORDERED:



Vincent L. Briccetti
United States District Judge